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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *13 August 2004*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,14-16 and 49-115* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1,14-16 and 49-115* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *13 August 2004* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to an original Application filed 08/13/2004.

2.   The priority date is **06/17/2004**.

3.   Claims 1, 14-16, 49-115 are pending.

4.   Claims 1, 49, 71, 93, and 115 are independent Claims.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   Claims 1, 14, 16, 49-50, 52, 54-57, 68, 70-72, 74, 76-79, 90, 92-94, 96, 98-101,

112, and 114-115 are rejected under 35 U.S.C. 102(b) as being anticipated by Olbricht

(U.S. Patent No. 6,429,952 filed 08/31/1998, issued 08/06/2002).

In regard to independent Claim 1, Olbricht discloses:

- *A method* (Col. 2, lines 25-63;→ using a browser interface to control a remote

  scanner. The remote scanner provides HTML user interface to the browser via

  HTTP protocols. The user interface contains a "Scan" button to initiate the

  scanning of content on the remote scanner) *comprising acts of:*

  - o *a) providing an electronic document that includes a button* (Col. 3, lines

    42-50; Fig 2;→ the browser receives an HTML-format page from the

    scanner. The page is displayed to the user with a set of configuration

parameters. The user selects the desired parameters and clicks the "scan"

button. Thus, *an electronic document is provided that includes a button*).

  o *b) in response to selection of the button, retrieving at least one picture that*

     includes content previously associated with the electronic document (Col.

     3, lines 19-65;→ parameters relating to the content to be scanned is

     preset by the user. The user initiates the scan, the scanner scans the

     content (image) and streams back the scanned content to the browser),

     and

  o *c) displaying the at least one picture* (Col. 3, lines 19-65; Fig. 2;→ the

     scanned content (image) is displayed to the user through the prior

     invocation of a "Preview" parameter).

In regard to dependent Claim 14, <u>Olbricht</u> discloses:

- *the electronic document is a form* (Fig. 2;→ an HTML user interface page

  displayed on a browser for interacting with a remote scanner. The interface

  contains elements one would likely associate with a typical HTML input form

  (e.g., pull-down menus, buttons, etc.).

In regard to dependent Claim 16, <u>Olbricht</u> discloses:

- *updating the form to include additional information* (Col. 3, lines 19-65;→ HTML

  user interface has optional "Preview" mode where a user can scan content and

  preview it. If there are problems with the resulting scan, then the user interface

would allow the user to make modifications and to rescan until the resulting scan

appears the way the user desires. The file can then be saved to several graphical

formats).

In regard to independent Claim 49, <u>Olbricht</u> discloses:

- *A method* (Col. 2, lines 25-63;→ using a browser interface to control a remote

  scanner. The remote scanner provides HTML user interface to the browser via

  HTTP protocols. The user interface contains a "Scan" button to initiate the

  scanning of content on the remote scanner) *comprising the acts of:*

  o *(a) providing a first electronic document that includes a button at a first*

    location in the document (Col. 3, lines 42-50; Fig 2;→ the browser

    receives an HTML-format page from the scanner. The page is displayed to

    the user with a set of configuration parameters. The user selects the

    desired parameters and clicks the "scan" button. The button is located in a

    first position on the user interface (labeled 46 in Fig. 2). Thus, *a first*

    electronic document is provided that includes a button in a first location).

  o *(b) in response to selection of the button, calling an image capture*

    application to capture at least one image (Col. 3, lines 19-65;→

    parameters relating to the content to be scanned is preset by the user.

    The user initiates the scan, the scanner scans the content (image) and

    streams back the scanned content to the browser. The interface is for

    controlling an image capture device (a scanner).); *and*

o *(c) associating the at least one image captured by the image capture application with the first location in the first electronic document* (see Fig. 2;→ depicts captured image in a first location in the first electronic document).

In regard to dependent Claim 50, <u>Olbricht</u> discloses:

- *the at least one image is a still image* (Fig. 2;→ depicts the scan and preview of a still image).

In regard to dependent Claim 52, <u>Olbricht</u> discloses:

- *the first electronic document is managed by a document editing application* (Fig. 2;→ the scanner user interface page (HTML) is managed by a browser application) *and wherein the act (b) further comprises an act of:*

    o *storing the at least one image at a second location provided to the image capture application by the document editing application* (Col. 3, lines 50-65;→ scanned documents (images) can be stored by selecting the "Save As" command in the browser in several different formats).

In regard to dependent Claim 54, <u>Olbricht</u> discloses:

- *the document editing application is a browser* (Fig. 2;→ the scanner user interface page (HTML) is managed by a browser application).

In regard to dependent Claim 55, <u>Olbricht</u> discloses:

- *the second location is a file system location* (Col. 3, lines 50-65;→ scanned documents (images) can be stored by selecting the "Save As" command in the browser in several different formats. A file system location is broadly interpreted to be disk or memory storage).

In regard to dependent Claim 56, <u>Olbricht</u> discloses:

- *the second location is a location in a database table* (Col. 3, lines 50-65;→ scanned documents (images) can be stored by selecting the "Save As" command in the browser in several different formats. A database table is broadly interpreted as storage).

In regard to dependent Claim 57, <u>Olbricht</u> discloses:

- *the second location is a physical disk location* (Col. 3, lines 50-65;→ scanned documents (images) can be stored by selecting the "Save As" command in the browser in several different formats).

In regard to dependent Claim 68, <u>Olbricht</u> discloses:

- *the image capture application captures the at least one image using at least one image capture device* (Col. 3, lines 19-31;→ a HTML browser user interface to control a scanner (image capture device)).

In regard to dependent Claim 70, <u>Olbricht</u> discloses:

- *the at least one image capture device is a scanner* (Col. 3, lines 19-31;→ a

    HTML browser user interface to control a scanner (image capture device)).

In regard to Claims 71-72, 74, 76-79, 90, and 92, Claims 71-72, 74, 76-79, 90, and

92 merely recite a computer readable medium encoded with instructions, that when

executed on a computer system, perform the method of Claims 49-50, 52, 54-57, 68,

and 70, respectively. Thus, <u>Olbricht</u> discloses every limitation of Claims 71-72, 74, 76-

79, 90, and 92as indicated in the above rejections for Claims 49-50, 52, 54-57, 68, and

70.

In regard to Claims 93-94, 96, 98-101, 112, and 114, Claims 93-94, 96, 98-

101,112, and 114 merely recite a computer system for performing the method of Claims

49-50, 52, 54-57, 68, and 70, respectively. Thus, <u>Olbricht</u> discloses every limitation of

Claims 93-94, 96, 98-101,112, and 114, as indicated in the above rejections for Claims

49-50, 52, 54-57, 68, and 70.

In regard to independent Claim 115, <u>Olbricht</u> discloses:

- *A method of operating a computer, the computer having a display and executing*

    a document management application that manages a first electronic document

    having a button and a data capture application that captures images from a data

    capture device (Col. 2, lines 25-63;→ using a browser interface to control a

remote scanner. The remote scanner provides HTML user interface to the

browser via HTTP protocols. The user interface contains a "Scan" button to

initiate the scanning of content on the remote scanner.), *the method comprising*

acts of:

- o *a) in response to selection of the button, calling the data capture*

  application so that the data capture application provides a live view from

  the data capture device on the display (Col. 3, lines 19-65; Fig. 2→ The

  user initiates the scan, the scanner scans the content (image) and

  streams back the scanned content to the browser. A "live" view is provided

  by pre-selecting a "Preview" option); *and*

- o *b) associating at least one image captured from the data capture device*

  with the first electronic document (Col. 3, lines 19-65; Fig. 2;→ the

  scanned content (image) is displayed to the user through the prior

  invocation of a "Preview" parameter on the browser user interface).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 15, 53, 58-60, 63-67, 69, 75, 80-82, 85-89, 91, 97, 102-104, 107-111, and

113 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olbricht in view of

Abrams et al. (hereinafter Abrams, U.S. Patent No. 6,625,812 file 10/22/1999, issued

09/23/2003).

In regard to dependent Claim 15, Olbricht fails to explicitly disclose:

- *the form includes entries relating to aircraft inspection.*

However, Abrams discloses *the form includes entries relating to aircraft

inspection* (Col. 2, lines 18-67;→ a user controlling and capturing remote images

from cameras and also allows the user to construct (and edit) "View Cards" or

annotated snapshots of remotely captured scenes that can contain comments and

allows the user to email these cards to others.

It would have been obvious to one of ordinary skill in the art at the time of

invention to apply the feature of using a form interface ("Create View Card") to

further document a captured image to other instances where captured images

require additional documentation (e.g., aircraft maintenance records), providing the benefit of a further means to document work through image capture.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of <u>Olbricht</u> and <u>Abrams</u> as both inventions generally relate to the acquisition of remote data using an HTML user interface with buttons and receiving data via the web (internet)). Adding the disclosure of <u>Abrams</u> provides the benefit of allowing for the editing of captured images to add to documentation of the image.

In regard to dependent Claim 53, <u>Olbricht</u> fails to disclose:

- *the document editing application is a word processing application.*

However, <u>Abrams</u> discloses *the document editing application is a word processing application* (Col. 2, lines 18-67;→ allows a user to control and capture remote images from cameras and also allows the user to construct (and edit) "View Cards" or annotated snapshots of remotely captured scenes that can contain comments and allows the user to email these cards to others. The editing features available to the user are not unlike those that could be carried out by an editor (e.g., word processor)).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of <u>Olbricht</u> and <u>Abrams</u> as both inventions generally relate to the acquisition of remote data using an HTML user interface with buttons and receiving data via the web (internet)). Adding the disclosure of <u>Abrams</u>

provides the benefit of allowing for the editing of captured images to add to

documentation of the image).

In regard to dependent Claim 58, Olbricht fails to disclose:

- *copying at least some of the first electronic document to create a second*

  electronic document; and storing the second electronic document.

However, Abrams discloses *copying at least some of the first electronic*

document to create a second electronic document; and storing the second electronic

document (Col. 2, lines 43-67;→ a user views a page-based user interface that

shows him a live view of a remote physical location. From this "live view selection

page" the user can control a camera at the remote location simply by clicking on the

presented image or by using other controls on the page. In this manner, the user

visually navigates the remote space (panning, zooming, etc.) and selects various live

views. The live view selection page allows the user to preserve any live view. To

communicate a preserved view to another user, the user clicks the "Create View

Card" button. A view card construction page appears and the user enters the

recipient's email address and a message about the preserved view. The "View Card"

represents a portion of the original "View" page (*a second electronic document*) that

preserves a snapshot of the live view to be stored or emailed to another user).

It would have been obvious to one of ordinary skill in the art at the time of

invention to combine the disclosures of Olbricht and Abrams as both inventions

generally relate to the acquisition of remote data using an HTML user interface with

buttons and receiving data via the web (internet)). Adding the disclosure of <u>Abrams</u>

provides the benefit of preserving a portion of the original document to document a

particular instant of time to be used by others.

In regard to dependent Claim 59, <u>Olbricht</u> fails to disclose:

- *the act of storing the second electronic document further comprises an act of*
  storing the second electronic document without storing the first electronic
  document.

However, <u>Abrams</u> discloses *the act of storing the second electronic document*

further comprises an act of storing the second electronic document without storing

the first electronic document (Col. 2, lines 43-67;→ a user views a page-based user

interface that shows him a live view of a remote physical location. From this "live

view selection page" the user can control a camera at the remote location simply by

clicking on the presented image or by using other controls on the page. In this

manner, the user visually navigates the remote space (panning, zooming, etc.) and

selects various live views. The live view selection page allows the user to preserve

any live view. To communicate a preserved view to another user, the user clicks the

"Create View Card" button. A view card construction page appears and the user

enters the recipient's email address and a message about the preserved view. To

communicate the view card to the designated recipient, the user clicks "Send View

Card." The recipient, when viewing the page-based view card, sees the preserved

live view, the message from the other user, and the communication information.

Clearly, the "View Card", representing the second document is stored (e.g., emailed) while the first document is not).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of Olbricht and Abrams as both inventions generally relate to the acquisition of remote data using an HTML user interface with buttons and receiving data via the web (internet)). Adding the disclosure of Abrams provides the benefit of preserving a portion of the original document to document a particular instant of time to be used by others.

In regard to dependent Claim 60, Olbricht fails to disclose:

- *the button is a first button and wherein the method further comprises acts of: retrieving the second electronic document; and in response to selection of a second button at a third location in the second electronic document, retrieving the at least one image.*

However, Abrams discloses *the button is a first button and wherein the method further comprises acts of: retrieving the second electronic document; and in response to selection of a second button at a third location in the second electronic document, retrieving the at least one image* (Col. 2, lines 43-67;→ that the recipient of a "view Card" (*retrieved second electronic document*), when viewing the page-based view card, sees the preserved live view, the message from the other user, and the communication information. By clicking on the image (*a second button*) in the view card (*second electronic document*), the recipient can activate the preserved

view such that the view card page is replaced by a live view selection page showing

the current, live image captured by the camera at the remote location. Now the

recipient can visually navigate the remote location in exactly the same way as the

sender of the view card. By means of the present invention's easy-to-use page-

based interfaces, users can share live views and collaborate with respect to real-

time events at a remote location).

It would have been obvious to one of ordinary skill in the art at the time of

invention to combine the disclosures of Olbricht and Abrams as both inventions

generally relate to the acquisition of remote data using an HTML user interface with

buttons and receiving data via the web (internet)). Adding the disclosure of Abrams

provides the benefit of preserving a portion of the original document to document a

particular instant of time to be used by others.

In regard to dependent Claim 63, Olbricht fails to disclose:

- *displaying the at least one image.*

However, Abrams discloses *displaying the at least one image* (Col. 2, lines 43-

67;→ that the recipient of a "view Card" (*retrieved second electronic document*),

when viewing the page-based view card, sees the preserved live view, the message

from the other user, and the communication information. By clicking on the image (*a*

second button) in the view card (*second electronic document*), the recipient can

activate the preserved view such that the view card page is replaced by a live view

selection page showing the current, live image captured by the camera at the remote

location. Now the recipient can visually navigate the remote location in exactly the

same way as the sender of the view card. By means of the present invention's easy-

to-use page-based interfaces, users can share live views and collaborate with

respect to real-time events at a remote location).

It would have been obvious to one of ordinary skill in the art at the time of

invention to combine the disclosures of Olbricht and Abrams as both inventions

generally relate to the acquisition of remote data using an HTML user interface with

buttons and receiving data via the web (internet)). Adding the disclosure of Abrams

provides the benefit of preserving a portion of the original document to document a

particular instant of time to be used by others.

In regard to dependent Claim 64, Olbricht fails to disclose:

- *the first electronic document is a template for the second electronic document.*

   However, Abrams discloses *the first electronic document is a template for the*

second electronic document (Col. 2, lines 43-67;→ a user views a page-based user

interface that shows him a live view of a remote physical location. From this "live

view selection page" the user can control a camera at the remote location simply by

clicking on the presented image or by using other controls on the page. In this

manner, the user visually navigates the remote space (panning, zooming, etc.) and

selects various live views. The live view selection page allows the user to preserve

any live view. To communicate a preserved view to another user, the user clicks the

"Create View Card" button. A view card construction page appears and the user

enters the recipient's email address and a message about the preserved view. To communicate the view card to the designated recipient, the user clicks "Send View Card." The recipient, when viewing the page-based view card, sees the preserved live view, the message from the other user, and the communication information. Thus, the "View Card" is derived from the original view page, so the original view page is a template for the "View Card" where the original view page is the first electronic document and the "View Card" is the second electronic document.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of Olbricht and Abrams as both inventions generally relate to the acquisition of remote data using an HTML user interface with buttons and receiving data via the web (internet)). Adding the disclosure of Abrams provides the benefit of preserving a portion of the original document to document a particular instant of time to be used by others.

In regard to dependent Claim 65, Olbricht fails to disclose:

- *the second electronic document is not modifiable.*

However, Abrams discloses *the second electronic document is not modifiable* (Col. 2, lines 32-42;→ the "view Card" sent to a recipient is akin to an electronic postcard (a view card) of what he sees to another user. Moreover, the view card recipient through the view card can seamlessly connect to the live remote source and visually navigate the space himself. The view card itself, which is intended to

capture a moment in time and document it in image and comments would likely not be edited by the recipient of the view card).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of <u>Olbricht</u> and <u>Abrams</u> as both inventions generally relate to the acquisition of remote data using an HTML user interface with buttons and receiving data via the web (internet)). Adding the disclosure of <u>Abrams</u> provides the benefit of preserving a portion of the original document to document a particular instant of time to be used by others.

In regard to dependent Claim 66, <u>Olbricht</u> fails to disclose:

- *the first and second electronic documents are forms.*

However, <u>Abrams</u> discloses *the first and second electronic documents are forms* (Figs. 3, 7;→ Fig. 3 depicts the original electronic document for viewing a particular view and manipulating the view preparing to capture a particular instant of the image into a "View Card", which is depicted in Fig. 7. Both of these documents can be HTML documents. Both contain features one might expect to be present in a typical HTML form).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of <u>Olbricht</u> and <u>Abrams</u> as both inventions generally relate to the acquisition of remote data using an HTML user interface with buttons and receiving data via the web (internet)). Adding the disclosure of <u>Abrams</u> provides the benefit of providing HTML forms as a part of the user interface.

In regard to dependent Claim 67, Olbricht fails to disclose:

- *the first and second electronic documents are forms including entries related to aircraft inspection.*

However, Abrams discloses *the first and second electronic documents are forms including entries related to aircraft inspection* (Col. 2, lines 18-67;→ a user controlling and capturing remote images from cameras and also allows the user to construct (and edit) "View Cards" or annotated snapshots of remotely captured scenes that can contain comments and allows the user to email these cards to others.

It would have been obvious to one of ordinary skill in the art at the time of invention to apply the feature of using a form interface ("Create View Card") to further document a captured image to other instances where captured images require additional documentation (e.g., aircraft maintenance records), providing the benefit of a further means to document work through image capture.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of Olbricht and Abrams as both inventions generally relate to the acquisition of remote data using an HTML user interface with buttons and receiving data via the web (internet)). Adding the disclosure of Abrams provides the benefit of allowing for the editing of captured images to add to documentation of the image.

In regard to dependent Claim 69, Olbricht fails to disclose:

- *the at least one image capture device is a camera.*

However, Abrams discloses *the at least one image capture device is a camera* (Col. 2, lines 18-67;→ allows a user to control and capture remote images from cameras and also allows the user to construct (and edit) "View Cards" or annotated snapshots of remotely captured scenes that can contain comments and allows the user to email these cards to others. The editing features available to the user are not unlike those that could be carried out by an editor (e.g., word processor)).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of Olbricht and Abrams as both inventions generally relate to the acquisition of remote data using an HTML user interface with buttons and receiving data via the web (internet)). Adding the disclosure of Abrams provides the benefit of allowing for the editing of captured images to add to documentation of the image).

In regard to Claims 75, 80-82, 85-88, 89, and 91, Claims 75, 80-82, 85-88, 89, and 91 merely recite a computer readable medium encoded with instructions, that when executed on a computer system, perform the method of Claims 53, 58-60, 63-66, 67, and 69 respectively. Thus, the combination of Olbricht and Abrams discloses every limitation of Claims 75, 80-82, 85-88, 89, and 91, as indicated in the above rejections for Claims 53, 58-60, 63-66, 67, and 69.

In regard to Claims 97, 102-104, 107-110, 111, and 113, Claims 97, 102-104, 107-110, 111, and 113 merely recite a computer system for performing the method of Claims 53, 58-60, 63-66, 67, and 69 respectively. Thus, the combination of <u>Olbricht</u> and <u>Abrams</u> discloses every limitation of Claims 97, 102-104, 107-110, 111, and 113, as indicated in the above rejections for Claims 53, 58-60, 63-66, 67, and 69.

9.   Claims 51, 73, and 95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olbricht in view of Namma et al. (hereinafter Namma, U.S. Patent No. 6,182,116 filed 09/14/1998, issued 01/30/2001).

In regard to dependent Claim 51, <u>Olbricht</u> fails to disclose:

- *the at least one image is a moving image.*

However, <u>Namma</u> discloses *the at least one image is a moving image* (Figs. 12-13; Col. 22, lines 26-44;→ in Fig. 12, when the user clicks on the house entrance video camera icon 950, the camera operation designation section 947 detects this and responds by generating a GET command which specifies starting of acquiring video data from the output signal of the video camera having the name "camera1". When that command is generated, a field "/command/" is inserted as the header field of the command, so that the command will be recognized as an operation request by the virtual WWW server apparatus 91. Thus, video is acquired from a remotely controlled video camera via web interface by clicking a button).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of <u>Olbricht</u> and <u>Namma</u> as both inventions

generally relate to the acquisition of remote data using an HTML user interface with buttons and receiving data via the web (internet)). Adding the disclosure of <u>Namma</u> provides the benefit of also acquiring video from remote sources controlled from a browser.

In regard to Claim 73, Claim 73 merely recites a computer readable medium encoded with instructions, that when executed on a computer system, perform the method of Claim 51. Thus, <u>Olbricht</u> in view of <u>Namma</u> discloses every limitation of Claim 73, as indicated in the above rejections for Claim 51.

In regard to Claim 95, Claim 95 merely recites a computer system for performing the method of Claim 51. Thus, <u>Olbricht</u> in view of <u>Namma</u> discloses every limitation of Claim 95, as indicated in the above rejection for Claim 51.

10.   Claims 61-62, 83-84, and 105-106 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olbricht in view of Abrams, and in further view of Kaplan et al. (hereinafter Kaplan, U.S. Patent Application Publication No. 2001/0056434 filed 03/29/2001, published 12/17/2001).

In regard to dependent Claim 61, both <u>Olbricht</u> and <u>Abrams</u> fail to disclose:

* *the act of retrieving the at least one image further comprises an act of:*

    determining if the at least one image exists at the second location.

However, <u>Kaplan</u> discloses *the act of retrieving the at least one image further comprises an act of: determining if the at least one image exists at the second location* (Pg. 6, Paragraphs [0058-0059];→ typical operating systems that when downloading digital media first make certain that an existing image is not present (e.g., checks the name of the file currently stored) and repeatedly prompts the user if they desire to overwrite a preexisting file. <u>Kaplan</u> further discloses that such images can be acquired using scanning techniques ([0058])).

Thus, for systems where images are digitized via scanners and scanning techniques, the operating system of <u>Kaplan</u> would first check, then prompt the user that they are about to overwrite an existing stored image.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the disclosures of <u>Olbricht</u>, <u>Abrams</u>, and <u>Kaplan</u> as all three inventions generally relate to the acquisition of remote data. Adding the disclosure of <u>Kaplan</u> provides the benefit of providing a warning before overwriting an existing image.

In regard to dependent Claim 62, both <u>Olbricht</u> and <u>Abrams</u> fail to disclose:

- *when the at least one image exists at the second location, retrieving the at least one image from the second location.*

However, <u>Kaplan</u> discloses *when the at least one image exists at the second location, retrieving the at least one image from the second location* (Pg. 6, Paragraphs [0058-0059];→ typical operating systems that when downloading digital

media first make certain that an existing image is not present (e.g., checks the name

of the file currently stored) and repeatedly prompts the user if they desire to

overwrite a preexisting file. Kaplan further discloses that such images can be

acquired using scanning techniques ([0058])).

Thus, for systems where images are digitized via scanners and scanning

techniques, the operating system of Kaplan would first check, then prompt the user

that they are about to overwrite an existing stored image. If that is okay with the

user, the image is overwritten and the new image is stored and can be subsequently

retrieved.

It would have been obvious to one of ordinary skill in the art at the time of

invention to combine the disclosures of Olbricht, Abrams, and Kaplan as all three

inventions generally relate to the acquisition of remote data. Adding the disclosure of

Kaplan provides the benefit of providing a warning before overwriting an existing

image.

In regard to Claims 83-84, Claims 83-84 merely recite a computer readable

medium encoded with instructions, that when executed on a computer system, perform

the method of Claims 61-62 respectively. Thus, the combination of Olbricht, Abrams,

and Kaplan discloses every limitation of Claims 83-84, as indicated in the above

rejections for Claims 61-62.

In regard to Claims 105-106, Claims 105-106 merely recite a computer system for performing the method of Claims 61-62, respectively. Thus, the combination of <u>Olbricht</u>, <u>Abrams</u>, and <u>Kaplan</u> discloses every limitation of Claims 105-106, as indicated in the above rejections for Claims 61-62.

Conclusion

11.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.

12.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

13.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James H. Blackwell
06/20/2007

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